

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: NESPER=3

In re Application of:)	Conf. No.: 8476
)	
Reinhard Nesper et al)	Art Unit: 4131
)	
Appln. No.: 10/544,211)	Examiner: Toby Hain
)	
I.A. Filed: 02/02/2004)	Washington, D.C.
371(c): 05/30/ 2006)	
)	
For: METHOD FOR PRODUCTION OF)	June 12, 2009
A B/N/C/SI CERAMIC...)	

REPLY TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building, 401 Dulany Street
Alexandria, VA 22314

Sir:

The applicants acknowledge receipt of the restriction requirement Office Action mailed May 13, 2009, on the basis of purported lack of unity of invention, and applicants reply below.

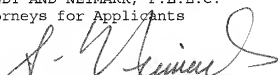
As applicants have claimed priority and as the PTO has received a copy of the priority document from the International Bureau of WIPO, applicants respectfully request the examiner to acknowledge receipt of applicants' papers under §119.

Restriction has been required among what the PTO deems as being five (5) separate inventions which are presumably deemed patentably distinct from one another. As applicants must make an election even though the requirement is traversed, applicants hereby respectfully and provisionally elect Group I, presently claims 1-10 and 17-19, with traverse and without prejudice.

Applicants respectfully traverse on the basis that even if it were correct that the proposed combination of references made obvious common subject matter as now most broadly recited, the fact would remain that there is more narrow common language which meets the requirements for unity of invention of PCT Rules 13.1 and 13.2. Under these conditions, the requirement should be withdrawn and all the claims should be examined on the merits. Such are respectfully requested.

Respectfully submitted,

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